

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KING COUNTY, a Washington municipal  
corporation,

Plaintiffs,

v.

TRAVELERS INDEMNITY COMPANY, a  
Connecticut corporation; AETNA  
CASUALTY AND SURETY COMPANY, a  
Connecticut corporation; HARTFORD  
ACCIDENT AND INDEMNITY  
COMPANY, a Connecticut corporation;  
PROVIDENCE WASHINGTON  
INSURANCE COMPANY, a Rhode Island  
corporation; AMERICAN HOME  
ASSURANCE COMPANY, a New York  
corporation,

Defendants.

No. 14-cv-1957-MJP

DECLARATION OF MARTHA  
RODRIGUEZ-LOPEZ IN  
OPPOSITION TO TRAVELERS  
MOTION TO DISMISS KING  
COUNTY'S IFCA CLAIM

I, Martha Rodriguez-Lopez, hereby state that:

1. I am counsel for Plaintiff King County. I make this declaration in opposition to Travelers Motion to Dismiss King County's IFCA Claim in the above captioned case by King County.

2. I certify that I have personal knowledge of the matters stated in this Declaration based upon my personal involvement in them.

DECLARATION OF MARTHA RODRIGUEZ-LOPEZ - 1

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1           3.       Attached hereto as Exhibit A is a correct copy of Senate Bill 5726, available at  
2 <http://lawfilesexternal.wa.gov/biennium/2007-08/Pdf/Bills/Senate%20Bills/5726.pdf>.

3           4.       Attached hereto as Exhibit B is a correct copy of House Bill 1491, available at  
4 <http://lawfilesexternal.wa.gov/biennium/2007-08/Pdf/Bills/House%20Bills/1491.pdf>.

5           5.       Attached hereto as Exhibit C is an unofficial transcript of excerpts from the  
6 public hearing on House Bill 1491 held on February 1, 2007. Video of the hearing is  
7 available at  
8 [http://www.tvw.org/index.php?option=com\\_tvwliveplayer&eventID=2007020059](http://www.tvw.org/index.php?option=com_tvwliveplayer&eventID=2007020059).

9           6.       Attached hereto as Exhibit D is an unofficial transcript of excerpts from the  
10 public hearing regarding Senate Bill 5726 held on February 8, 2007. Video of the hearing is  
11 available for viewing at  
12 [http://www.tvw.org/index.php?option=com\\_tvwliveplayer&eventID=2007021093](http://www.tvw.org/index.php?option=com_tvwliveplayer&eventID=2007021093).

13           7.       Attached hereto as Exhibit E is an unofficial transcript of excerpts from the  
14 public hearing regarding Senate Bill 5726 held on February 15, 2007. Audio of the hearing is  
15 available for download at  
16 [http://www.tvw.org/index.php?option=com\\_tvwliveplayer&eventID=2007021181](http://www.tvw.org/index.php?option=com_tvwliveplayer&eventID=2007021181).

17           8.       Attached hereto as Exhibit F is an unofficial transcript of excerpts from the  
18 public hearing regarding House Bill 1491 held on February 27, 2007. Audio of the hearing is  
19 available for download at  
20 [http://www.tvw.org/index.php?option=com\\_tvwliveplayer&eventID=2007021349](http://www.tvw.org/index.php?option=com_tvwliveplayer&eventID=2007021349).

21           9.       Attached hereto as Exhibit G is an unofficial transcript of excerpts from the  
22 public hearing regarding Senate Bill 5726 held on March 22, 2007. Video of the hearing is  
23 available for viewing at  
24 [http://www.tvw.org/index.php?option=com\\_tvwliveplayer&eventID=2007030191](http://www.tvw.org/index.php?option=com_tvwliveplayer&eventID=2007030191).

1           10. Attached hereto as Exhibit H is a copy of Enhanced Substitute Senate Bill  
2 5726, available at [http://lawfilesexternal.wa.gov/biennium/2007-](http://lawfilesexternal.wa.gov/biennium/2007-08/Pdf/Bills/Senate%20Bills/5726-S.E.pdf)  
3 [08/Pdf/Bills/Senate%20Bills/5726-S.E.pdf](http://lawfilesexternal.wa.gov/biennium/2007-08/Pdf/Bills/Senate%20Bills/5726-S.E.pdf).

4           11. Attached hereto as Exhibit I is a copy of Substitute House Bill 1491, available  
5 at <http://lawfilesexternal.wa.gov/biennium/2007-08/Pdf/Bills/House%20Bills/1491-S.pdf>.

6           12. Attached hereto as Exhibit J is a screenshot of the Office of the Insurance  
7 Commissioner's website on the Insurance Fair Conduct Act, available at  
8 <http://www.insurance.wa.gov/laws-rules/insurance-fair-conduct-act/about-ifca/>.

9           13. Attached hereto as Exhibit K is a copy of Appendix A to the 2013 Insurance  
10 Commissioner Annual Report.

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12 EXECUTED this 23rd day of March, 2015 at Seattle, Washington.

13  
14 /s/ Martha Rodriguez-Lopez  
15 Martha Rodriguez-Lopez  
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**CERTIFICATE OF SERVICE**

I hereby certify I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following counsel of record:

Attorney for American Home Assurance Company:  Jeffrey D. Laveson Linda B. Clapham Carney Badley Spellman, PS 701 Fifth Avenue, Suite 3600 Seattle, WA 98104-7010 <a href="mailto:Laveson@carneylaw.com">Laveson@carneylaw.com</a> <a href="mailto:Clapham@carneylaw.com">Clapham@carneylaw.com</a>	Attorney for Providence Washington Insurance Company:  David M. Schoeggl Stephania Denton David W. Howenstine Lane Powell PC 1420 Fifth Avenue, Suite 4200 Seattle, WA 98111-9402 <a href="mailto:schoeggld@lanepowell.com">schoeggld@lanepowell.com</a> <a href="mailto:dentons@lanepowell.com">dentons@lanepowell.com</a> <a href="mailto:howenstined@lanepowell.com">howenstined@lanepowell.com</a>
Attorney for Hartford Accident and Indemnity Company:  Carl E. Forsberg Kenneth J. Cusack Forsberg & Umlauf, P.S. 901 Fifth Avenue, Suite 1400 Seattle, WA 98164 <a href="mailto:cforsberg@forsberg-umlauf.com">cforsberg@forsberg-umlauf.com</a> <a href="mailto:kcusack@forsberg-umlauf.com">kcusack@forsberg-umlauf.com</a>	Attorney for Travelers Indemnity Company and Aetna Casualty and Surety Company:  Everett W. Jack, Jr. Mr. Steven P. Caplow Davis Wright Tremaine LLP 1300 SW 5 <sup>th</sup> Ave., Ste 2400 Portland, OR 97201-5682 <a href="mailto:everettjack@dwt.com">everettjack@dwt.com</a> <a href="mailto:stevecaplow@dwt.com">stevecaplow@dwt.com</a>

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 23rd day of March, 2015

By s/JeannieBeth O. Asuncion  
 JeannieBeth O. Asuncion